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Lien Claimant

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

TIMOTHY GARDNER,

Plaintiff,

v.

CITY OF BERKELEY; et al.,

Defendants.

Case No. 3:10-cv-03410-EMC

NOTICE OF FIRST ATTORNEY LIEN

PLEASE TAKE NOTICE that Karen Kahn, Esq., formerly of Kahn Brown & Poore LLP¹, hereby asserts a first Attorney Lien on any recovery obtained by the Plaintiff through judgment or settlement. The Attorney Lien is based upon the fee agreement executed by the Plaintiff, which

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¹ Kahn Brown & Poore LLP's firm name was changed to Brown | Poore LLP during this litigation.

1 seeks (1) a contingent attorney fee, and (2) litigation costs in the amount of \$427.85. As a result,
2 Karen Kahn, Esq. must be included on any settlement draft issued to the Plaintiff.

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4 Dated: July 22, 2011

LAW OFFICES OF KAREN H. KAHN

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6 By: Karen H. Kahn / [Signature]
7 Karen H. Kahn
8 Lien Claimant
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Gardner v. City of Berkeley, et al.

U.S. District Court, Northern District of California Action No. C10-03410-EMC

PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States of America, am over the age of eighteen (18) years, and not a party to the within action. I am an employee of the Law Offices of Karen H. Kahn, and my business address is 1646 N. California Blvd., Suite 600, Walnut Creek, CA 94596. On the date below, I caused to be served the following documents:

NOTICE OF FIRST ATTORNEY LIEN

on the parties involved, addressed as follows:

Mark J. Zembsch, Esq.

City Attorney's Office

2180 Milvia Street

Fourth Floor

Berkeley, CA 94704

Tel: (510) 981-6998

Fax: (510) 981-6960

Attorneys for City of Berkeley

David M. Poore, Esq.

Scott A. Brown, Esq.

Brown | Poore LLP

2200 Powell Street, Suite 745

Emeryville, California 94608

Tel: 510-923-6280

Fax: 510-923-6285

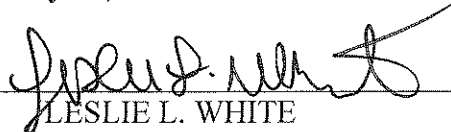
Attorneys for Plaintiff

(X) **BY FACSIMILE:** By use of facsimile machine telephone number (925) 279-3009, I served a copy of the above document(s) on the above interested parties at the facsimile number(s) listed above. The transmission was reported as complete and without error. The transmission report, which is attached to this proof of service, was properly issued by the transmitting facsimile machine.

(X) **BY MAIL:** I caused each envelope, with postage thereon fully prepaid, to be placed in the United States mail at Walnut Creek, California. I am readily familiar with business practices for collection and processing of mail in this office; and that in the ordinary course of business said document would be deposited with the U.S. Postal Service in Walnut Creek on that same day. I understand that service shall be presumed invalid upon motion of a party served if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing contained in this declaration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Walnut Creek, California, on **July 22, 2011.**


LESLIE L. WHITE